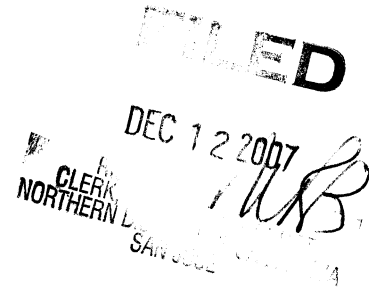


1 BARRY J. PORTMAN  
Federal Public Defender  
2 CYNTHIA C. LIE  
Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
5 Counsel for Defendant SMITH



6  
7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-07-00651 RS  
11 )  
Plaintiff, ) STIPULATION AND [PROPOSED]  
12 ) ORDER CONTINUING HEARING  
vs. )  
13 )  
14 CHERYL SMITH, )  
Defendant. )  
15 )

16  
17 STIPULATION

18 The parties hereby stipulate and agree that the status hearing in above-captioned matter  
19 may be continued from Thursday, December 13, 2007 at 11:00 a.m. to Thursday, January 24,  
20 2008 at 11:00 a.m. The reason for the requested continuance is to permit defense counsel to  
21 review the discovery provided to date with the defendant and to accommodate the scheduling  
22 conflicts of both parties. The parties further stipulate that 42 days may be excluded from the time  
23 within which trial shall commence, as the reasonable time necessary for effective defense  
24 preparation and continuity of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).  
25  
26

1 Dated: December 10, 2007

2 s/\_\_\_\_\_  
3 CYNTHIA C. LIE  
4 Assistant Federal Public Defender

4 Dated: December 10, 2007

5 s/\_\_\_\_\_  
6 SUSAN KNIGHT  
7 Assistant United States Attorney

8 ~~PROPOSED~~ ORDER

9 Good cause appearing and by stipulation of the parties, it is hereby ordered that the  
10 above-captioned matter shall be continued from Thursday, December 13, 2007 to Thursday,  
11 January 24, 2008 at 11:00 a.m.

12 It is further ordered that 42 days shall be excluded from the time within which trial shall  
13 commence, as the reasonable time necessary for effective defense preparation and for continuity  
14 of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

15  
16  
17 Dated: December <sup>12</sup>\_\_\_\_, 2007

18   
19 RICHARD SEEBORG  
20 United States Magistrate Judge  
21  
22  
23  
24  
25  
26